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MEMO ENDORSED

Via ECF

November 30, 2021

Hon. Chief Judge Laura Taylor Swain
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 1006

Re: *Nuñez v. City of New York*. 11-civ-5485 (LTS)

Your Honor:

The Plaintiff Class writes to apprise the Court of our reasons for opposing the request to postpone the status conference currently scheduled for Thursday, December 3. Catastrophic levels of violence and abuse continue to harm class members on a daily basis, as many core threats to safety described at the September conference and in the Monitor's public reports have continued or worsened. In particular, the City's inability to secure attendance of their workforce, and the resulting *ad hoc* staffing deployments that make basic jail services impossible and increase tension and danger, persist. We think it critical that the City and parties provide the Court with current information on these core issues, as well as an overview of paths forward, even as we continue to discuss details. The gravity and complexity of these issues means that any status update is inherently dynamic, and the parties and Monitor will always be collaborating to identify efficient, effective ways to redress the on-going harm. But we believe the time is ripe for a status conference to provide the Court with information on the current state of these on-going efforts, and ask that the Court provide the parties this opportunity to be heard as scheduled.

Very truly yours,

/s/

Mary Lynne Werlwas
Kayla Simpson
David Billingsley

Counsel for plaintiff class

In light of the emergent foregoing request, the conference currently scheduled for Thursday, December 2, 2021, at 10:00 a.m. will proceed as scheduled. The request to postpone the conference is hereby denied. The Court asks the Monitoring Team to collaborate with the parties and use best efforts to facilitate the preparation of an agenda for the upcoming conference, to be filed by 4:00 p.m. tomorrow, December 1, 2021. Dkt no. 425 resolved.

SO ORDERED.

11/30/2021

/s/ Laura Taylor Swain, Chief USDJ